



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF MANAGEMENT AND BUDGET

TO: ALL OFFERORS

FROM: KIM JONES
STATE CONTRACT PROCUREMENT OFFICER

DATE: NOVEMBER 19, 2014

SUBJECT: ADDENDUM TO REQUEST FOR PROPOSAL
CONTRACT NO.GSS15715-DRUGTESTING

ADDENDUM # 1 – Questions and Answers

General Questions

- 1. How many drug & alcohol tests were conducted this past year? Please provide the number of each required test.**

Cumulative totals are not available. The contract that results from this solicitation will be the first central contract for this breadth of services.

- 2. Can the State please provide the estimated (or historical average) quantity of specimens (broken down by type if possible, e.g., regulated versus non-regulated, random, pre-employment, post-accident, etc.)**

Cumulative totals are not available. The contract that results from this solicitation will be the first central contract for this breadth of services.

- 3. How many post-accident or reasonable suspicion tests did you do last year?**

Cumulative totals are not available. The contract that results from this solicitation will be the first central contract for these services.

4. What is an estimated number of employees that are subject to testing?

An estimated number of employees subject to testing is not available; however, all state agencies as well as school districts and municipalities may utilize this contract.

5. Can you estimate the number of agencies and total number of State locations that may be participating in this contract so that we gauge the magnitude of training and services to be rendered at State of DE worksites?

All state agencies as well as the school districts and municipalities may utilize this contract. An exact number is not available at this time.

6. Other than FTA contract, DSCYF contract what Laboratory are you currently working with?

Information for the current DOT Regulated Testing Requirements can be found at the following link: [CDL Drug and Alcohol Third Party Administrative Services](#)

Non-DOT Regulated Testing Requirements is a new addition to this contract, therefore no information is available.

7. Other than FTA contract, DSCYF contract who is your current third party administrator?

Information for the current DOT Regulated Testing Requirements can be found at the following link: [CDL Drug and Alcohol Third Party Administrative Services](#)

8. Will the state provide a list of locations (address, city, state, zip code) in Excel format that will be included as part of the resulting contract?

The awarded vendor(s) for this contract, including collection sites, will be posted on the State of Delaware Procurement website at www.bids.delaware.gov.

9. Does the State require random selection services?

The State requires random testing services as indicated in the Scope of Services section of the Request for Proposal.

10. Contract GSS14715-CDL_SCREEN entitled "CDL Drug and Alcohol Third Party Administrative Services" extends until March 17, 2015. Is this one contract that will expire and the Agency will utilize the contract being bid here?

The contract that results from this solicitation will replace GSS14715-CDL_SCREEN, CDL Drug and Alcohol Third Party Administrative Services.

- 11. How often do you expect to require pre-employment drug testing outside of the normal Monday through Friday standard business hours? Or is this request more on a sporadic basis, if the Agency has an unexpected quick hire requirement?**

The State requests the availability of pre-employment drug testing outside of normal business hours. An estimate of the occurrence of after-hours pre-employment testing is not available.

- 12. Will a supervisor be present or accompanying the employee that requires direct observation?**

A supervisor is not required to accompany an employee requiring direct observation.

Section Specific Questions

- 13. Section C**

Paragraph #5, i.

Page 4

“Vendor must have collection sites in New Castle, Kent, and Sussex counties”

What are your current collection sites for the various agencies that may purchase off of this contract?

Information for the current DOT Regulated Testing Requirements can be found at the following link: [CDL Drug and Alcohol Third Party Administrative Services](#).

Non-DOT Regulated Testing Requirements is a new addition to this contract, therefore no information is available.

- 14. Section Number: II. Scope of Services (C. General Requirements)**

Paragraph Number: 2 (On-Site Collection and Transport)

Page Number: 4

What is an estimated number of on-site collections per month?

No historical information is available, as the contract that results from this solicitation will be the first central contract for these services.

- 15. Section C**

Paragraph #6

Page 4

“On Site Sample Collection and Transport”

Do you require an actual mobile (van) collection facility? If yes, who is your current provider?

The State does not require a mobile (van) collection facility, however, as indicated in the Scope of Services, the vendor must provide on-site collection.

16. Who is your current list of onsite collectors?

Information for the current DOT Regulated Testing Requirements can be found at the following link: [CDL Drug and Alcohol Third Party Administrative Services](#).

Non-DOT Regulated Testing Requirements is a new addition to this contract, therefore no information is available.

17. Do you do scheduled onsite services for any agency? Where? What services? How many times per year and how many tests?

Information for the current DOT Regulated Testing Requirements can be found at the following link: [CDL Drug and Alcohol Third Party Administrative Services](#).

Cumulative totals for a central contract are not available.

18. DOT Rule 49 CFR Part 40 Section 40.101 (http://www.dot.gov/odapc/part40/40_101)

effectively prohibits laboratories like us from "offering" or "providing" any type of Medical Review Officer services for DOT/HHS regulated testing. It states that:

- (a) As a laboratory, you may not enter into any relationship with an MRO that creates a conflict of interest or the appearance of a conflict of interest with the MRO's responsibilities for the employer. You may not derive any financial benefit by having an employer use a specific MRO.
- (b) The following are examples of relationships between laboratories and MROs that the Department regards as creating conflicts of interest, or the appearance of such conflicts. This following list of examples is not intended to be exclusive or exhaustive:
 - (1) The laboratory employs an MRO who reviews test results produced by the laboratory;
 - (2) The laboratory has a contract or retainer with the MRO for the review of test results produced by the laboratory;
 - (3) The laboratory designates which MRO the employer is to use, gives the employer a slate of MROs from which to choose, or recommends certain MROs;
 - (4) The laboratory gives the employer a discount or other incentive to use a particular MRO;
 - (5) The laboratory has its place of business co-located with that of an MRO or MRO staff who review test results produced by the laboratory; or
 - (6) The laboratory permits an MRO, or an MRO's organization, to have a financial interest in the laboratory.

Is the State willing to accept offers from dedicated laboratories who are prohibited from providing MRO services for regulated testing? Will the State consider contracting with a MRO provider separately? Or is the State intending to contract with a third party administrator (TPA), to whom this rule does not apply and who are permitted to contract with MROs?

All respondents must be able to provide all services included in the Scope of Work, inclusive of providing a Medical Review Officer (MRO) in compliance with US DOT Rules and Regulations.

19. Section C

Paragraph #9

Page 4

i. Vendor must have a certified Medical Review Officer (MRO) on staff. The MRO shall interpret results and consider alternative explanations for positive results.

ii. Vendor shall identify the MRO(s) on staff and provide evidence of certification.

Does the State require that the MRO be an employee of the contractor, or is it acceptable for the contractor to utilize a preferred vendor for this service?

The State requires the awarded vendor provide all services, inclusive of an MRO, in compliance with US DOT Rules and Regulations.

20. Section C

Paragraph #20

Page 9

The vendor must communicate any negative test results in writing to the ordering agency's designated representative. Such written communication must be submitted within two (2) working days from the time of sample collection.

Does this requirement refer to those results that are initially non-negative, go through the MRO process, and then come back as negative, or is that an exception?

As described in the Scope of Services, if a specimen is determined to be non-negative, confirmation testing will automatically follow. The results would then be relayed to the ordering agency.

21. Section D

Paragraph #2

Page 10

Should a retest of a specimen result in a determination the original positive result was a false positive, the awarded vendor shall at a minimum:

i. Not invoice for the retest

ii. Issue a credit of the charges for the original test

Please clarify the meaning of “false positive”. Is this State referring to the split sample resulting in a negative result, or is the State referring to the MRO overturning a positive lab result? Is the State referring to a “non-negative” result that is then sent to the lab and MRO, and after review, comes back as a negative result?

A false positive is defined as a result that indicates a given condition is present when it is not. The State is referring to a split-sample confirmation test only.

22. Section E

Paragraph #22

Page 12

All Drug and Alcohol Testing services must be monitored via the utilization of a Drug and Alcohol tracking software package. (i.e. Hidie, DrugPak, JJ Kellers etc.)

Is this mandatory or can an internet result retrieval system be utilized?

It is a mandatory requirement that a Drug and Alcohol tracking software package monitor all drug and alcohol testing.

23. Section F

Paragraph #3

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In accordance with Executive Orders 14 and 29 – Increasing Supplier Diversity Initiatives within State Government and Ensuring Representation of Veteran-Owned Businesses (VOBE) including Service Disabled Veteran Owned Businesses (SDVOBE), the State of Delaware is committed to supporting its diverse business industry and population. The successful Vendor will be required to accurately report on the participation by Diversity Suppliers which includes: minority (MBE), woman (WBE), veteran owned business (VOBE), or service disabled veteran owned business (SDVOBE) under this awarded contract. The reported data elements shall include but not be limited to; name of state contract/project, the name of the Diversity Supplier, Diversity Supplier contact information (phone, email), type of product or service provided by the Diversity Supplier and any minority, women, veteran, or service disabled veteran certifications for the sub-vendor (State OSD certification, Minority Supplier Development Council, Women’s Business Enterprise Council, VetBiz.gov). The format used for Subcontracting 2nd Tier report is shown as in Attachment 8.

Is there a formal diverse supplier goal applied to this contract?

No specific goal is attached to this contract; however, the State does track participation by Diversity Suppliers.



GOVERNMENT SUPPORT SERVICES – CONTRACTING

100 ENTERPRISE PLACE – SUITE 4 – DOVER, DE 19904-8202

PHONE: (302) 857-4550 – FAX: (302) 739-3779 – GSS.OMB.DELAWARE.GOV